

BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, July 22, 2004

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, July 22, 2004, at 3:00 p.m., at Police Headquarters, 1300 Beaubien – Rm. 328-A, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Willie E. Hampton
Arthur Chairperson Blackwell, II
Erminia Ramirez (**ABS**)
Jim Holley (**ABS**)
Megan Norris

Department Personnel Present

Chief Ella M. Bully-Cummings
AC Walter Shoulders
DC Willie Burden
2nd DC Deborah Robinson
Cmdr. Richard Shelby
Cmdr. Ralph Godbee
Cmdr. Willie Martin
Insp. Jan Johnson
Insp. Marshall Lyons
Insp. Jamie Fields
Lt. Jeffrey Romeo
Lt. Nolan
Sgt. Clayborne
Sgt. Derrick Jones
Sgt. Lemons
P.O. Irvette Reed
P.O. Huggins
P.O. Mays
P.O. Roy Harris
P.O. Kimberly Bennett
P.O. Roy Harris
P.O. Shirley Smith
P.O. Timothy Gilbert
Atty. Nancy Ninowski

Board Staff Present

Dante' L. Goss, Executive Director

E. Lynise Bryant-Weekes, Personnel Director
Denise R. Hooks, Attorney/Supervising Inv.
Arnold Sheard, Interim Chief Investigator
Sherley Bledsoe, Police Commission Investigator

OTHERS PRESENT

Ron Scott
Ms. Walters
Rick Jones
Elsa Alvarez
Sylvia Carter-Smith
Joan Terry
Mary Keependall
Tawana Morris
Mr. Alvorado
Shirley Heard

RECORDERS

Jerome Adams
Kellie Williams
Veronica Crouch

1. CALL TO ORDER

Comm. Norris called the regular meeting of the Detroit Board of Police Commissioners to order at 3:22 p.m.

2. APPROVAL OF MINUTES

♦ Thursday, July 15, 2004

MOTION: **Comm. Blackwell** made the motion to approve the above Minutes.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. REPORT FROM THE CHAIR

Promotions

July 13, 2004

Board of Police Commissioners
1300 Beaubien
Room 328
Detroit, Michigan 48226

RE: RECOMMENDATIONS FOR PROMOTIONS TO THE RANK OF SERGEANT FROM THE 2000 ELIGIBILITY ROSTER

Dear Board Members:

On February 26, 2004, Grievance number **04-042**, a policy grievance by the **Detroit Police Officers Association (DPOA)** was presented to the "Voluntary Labor Arbitration Tribunal-City of Detroit-Detroit Police Officers Association Umpire System." The grievance filed by the DPOA is in regards to section 7 (Trigger), which is an agreement between the DPOA and the city of Detroit which references that a "Special Numerical Promotional Trigger" will be used to determine when additional promotions to sergeant must be made by the department." The "Trigger" to cause any additional promotions will be when the number of sergeants is more than 20 below the budgeted strength for the rank of sergeant.

According to the grievance February 23, 2004, the DPOA hand delivered a letter dated February 26, 2004 to the City Labor Relations Director, Mr. Roger Cheek, regarding Section 7 (Trigger) was reached on February 9, 2004. A meeting was held and the parties were unable to resolve this matter. The DPOA maintained the position that all pay and seniority for the members (**33 officers**) affected by Section 7 of this agreement would start twenty-one days (**February 29, 2004**) after the "Trigger" was reached. Additionally, under this agreement payment would be paid in a sixty day limit.

On June 29, 2004, the "Voluntary Labor Arbitration Tribunal-City of Detroit-Detroit Police Officers Association Umpire System" ruled that the grievance is granted in that **33** persons on the promotional list in effect on February 29, 2004, shall be promoted to the rank of sergeant according to the promotional procedures in effect at that time.

I submit for your review and approval, the attached list for **33** candidates for promotion to the rank of "**Sergeant.**" It is my intention to commence training for all candidates on **July 26, 2004**, or soon thereafter as may be feasible.

As always, I am available at your convenience if you have additional questions or concerns.

Sincerely,

/s/ELLA M. BULLY CUMMINGS
Chief of Police

EMB:wjm

The following individuals were promoted to the rank of Sergeant:

RANKING NUMBER	NAME
124	Cheryl McCoy-O'Neill
195	Barbara Profit (Investigator)
215	William Hart
225	Willie Duncan
232	Michelle Quick (Jones) (Investigator)
235	Derrick Cannon
237	Michael W. Jackson
247	Sherley Bledsoe (Investigator)
248	William W. Robinson
249	David Pomeroy
250	Geneva Kennedy
251	Christopher Cole (Badge 5094)
252	Michael L. Turner (Investigator)
253	Richard Knox
254	James Metiva (Investigator)
255	Willie E. Smith
256	Matthew Gnatek
259	Valerie Clardy
262	Kimberly Bennett
264	Gegory Tomassini
265	William Jackson III (Investigator)
266	India Randolph
267	Anthony Potts (Investigator)
268	Mark Young (Investigator)
269	John Whitley (Investigator)

MOTION: **Comm. Norris** made the motion to approve the above promotions to the rank of Sergeant.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

4. SECRETARY'S REPORT – EXECUTIVE DIRECTOR GOSS

SUSPENSIONS

On July 22, 2004, **Police Officer Emmett Quaine**, Badge 642, assigned to the Tenth Precinct, was suspended **without pay** by Chief Ella M. Bully-Cummings.

On April 18, 2004, the Professional Accountability Bureau, Force Investigation Section, was notified of an allegation of misconduct on the part of a Police Officer Emmett Quaine. More specifically, the allegation concerned the use of unjustified force against a citizen. As a result, the Force Investigation Section initiated an investigation.

The preliminary Force Investigation Section's investigation into the incident revealed the following:

On April 18, 2004, at approximately 9:00 p.m., Officer Quaine and his partner were on duty, in full uniform, and operating a fully marked Detroit Police Department scout car. At that time, Officer Quaine and his partner responded to a police run within the city of Detroit concerning "person with a weapon." Upon arrival at the scene of the incident, Officer Quaine and his partner interviewed witnesses and determined that the complainant and the victim were neighbors; that the complainant and the victim argued earlier in the evening over a parking space; and that during the course of the argument, the victim exited his home with a shotgun and began waving the shotgun at the complainant. Subsequently, the victim left the location in his vehicle. As Officer Quaine and his partner were interviewing witnesses, the victim returned to the location and proceeded to the rear of the location in his vehicle. Officer Quaine and his partner responded to the rear of the location; and, after the victim exited his vehicle, Officer Quaine discharged his Department issued firearm and, in so doing, struck a radiator belonging to a Grey GMC pick-up truck. At the scene of the incident, there was no weapon recovered from the victim. The victim was then transported to Henry Ford Hospital by Emergency Medical Services where he was listed in temporary critical condition.

On July 16, 2004, a two (2) count warrant was issued charging Officer Quaine with "Assault With Intent to Inflict Great Bodily Harm Less Than the Crime of Murder" and "Careless Discharge of a Firearm," contrary to MCL 750.84 and MCL 752.863a, respectively. "Assault With the Intent to Inflict Great Bodily Harm Less Than the Crime of Murder" is punishable as a felony with ten (10) years in prison and/or a fine of Five-Thousand Dollars (\$5,000.00). "Careless Discharge of a Firearm" is punishable as a misdemeanor with ninety (90) days in jail and /or a fine of Five-Hundred Dollars (\$500.00).

On July 16, 2004, Officer Quaine was arraigned on the aforementioned charges in the State of Michigan Thirty-Sixth District Court, Judge Thomas Shannon presiding. Officer Quaine was released on a personal bond of One-Thousand Dollars (\$1,000.00). A Preliminary Examination is scheduled for August 9, 2004.

Based on the above circumstances, it is recommended that Officer Quaine be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

CHARGE: CONDUCT UNBECOMING AN OFFICER; CONTRARY TO THE ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL SERIES 100, DIRECTIVE 102.3 - 5.7, CONDUCT UNPROFESSIONAL, COMMAND 3.

Unless contravened by this Commission, the above suspension without pay will stand.

There were no contraventions to the above suspensions without pay.

On July 22, 2004, **Police Officer Juan Reynoso, Jr.**, Badge 4549, assigned to the Tenth Precinct, was suspended without pay by Chief Ella M. Bully-Cummings.

On April 18, 2004, the Professional Accountability Bureau, Force Investigation Section, was notified of an allegation of misconduct on the part of a Police Officer Juan Reynoso, Jr. More specifically, the allegation concerned the use of unjustified force against a citizen. As a result, the Force Investigation Section initiated an investigation.

The preliminary Force Investigation Section's investigation into the incident revealed the following:

On April 18, 2004, at approximately 9:00 p.m., Officer Reynoso and his partner were on duty, in full uniform, and operating a fully marked Detroit Police

Department scout car. At that time, Officer Reynoso and his partner responded to a police run within the City of Detroit concerning "person with a weapon." Upon arrival at the scene of the incident, Officer Reynoso and his partner interviewed witnesses and determined that the complainant and the victim were neighbors; that the complainant and the victim argued earlier in the evening over a parking space; and that during the course of the argument, the victim exited his home with a shotgun and began waving the shotgun at the complainant. Subsequently, the victim left the location in his vehicle. As Officer Reynoso and his partner were interviewing witnesses, the victim returned to the location and proceeded to the rear of the location in his vehicle. Officer Reynoso and his partner responded to the rear of the location; and, after the victim exited his vehicle, Officer Reynoso discharged his Department issued firearm and, in so doing, struck the victim in the chest. At the scene of the incident, there was no weapon recovered from the victim. The victim was then transported to Henry Ford Hospital by Emergency Medical Services where he was listed in temporary critical condition.

On May 3, 2004, a warrant request was submitted to the Wayne County Prosecutor's Office. On July 16, 2004, a two (2) count warrant was issued charging Officer Reynoso with "Assault With Intent to Inflict Great Bodily Harm Less Than The Crime of Murder" and "Careless, Reckless or Negligent Use of Firearms Causing Injury," contrary to MCL 750.84 and MCL 752.861, respectively. "Assault With the Intent to Inflict Great Bodily Harm Less Than the Crime of Murder" is punishable as a felony with ten (10) years in prison and/or a fine of Five-Thousand Dollars (\$5,000.00). "Careless, Reckless or Negligent Use of Firearms Causing Injury" is punishable as a misdemeanor with two (2) years in prison and/or a fine of Two-Thousand Dollars (\$2,000.00) or by one (1) year in jail, at the discretion of the court.

On July 16, 2004, Officer Reynoso was arraigned on the aforementioned charges in the State of Michigan Thirty-Sixth District Court, Judge Thomas Shannon presiding. Officer Reynoso was released on a personal bond of One-Thousand Dollars (\$1,000.00). A Preliminary Examination is scheduled for August 9, 2004.

Based on the above circumstances, it is recommended that Officer Reynoso be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

CHARGE: CONDUCT UNBECOMING AN OFFICER; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL SERIES 100, DIRECTIVE 102.3 - 5.7, CONDUCT UNPROFESSIONAL, COMMAND 3.

Unless contravened by this Commission, the above suspension without pay will stand.

There were no contraventions to the above suspensions without pay.

CITIZEN COMPLAINTS RECEIVED

	<u>This Week</u>	<u>Year to Date</u>
2004 - Weekly Count of Complaints:	45	879
2003 - Weekly Count of Complaints:	80	707

5. REPORT/PRESENTATION – CHIEF OF POLICE

DETROIT POLICE DEPARTMENT

**REPORT TO THE
BOARD OF POLICE COMMISSIONERS**



BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department.

ENFORCEMENT ACTIONS

During the period of July 14, 2004, through July 20, 2004, the Narcotics Enforcement Section conducted 61 enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

- ◆ 39 Felony arrests
- ◆ 120 Misdemeanor arrests
- ◆ 121.6 Grams of cocaine, 70.6 grams of heroin, and 1,102.1 grams of marijuana - street value \$180,128.00
- ◆ \$21,558.00 U.S. currency

♦ 12 Handguns

On July 14, 2004 and July 20, 2004, the Vice Section conducted enforcement actions within the boundaries of the 3rd, 4th, 6th and 7th Precincts, resulting in the following arrests:

- ♦ 19 Arrests for Disorderly Conduct-Flagging
- ♦ 1 Vehicle confiscated

FIRST PRECINCT

Officers of the First Precinct were on patrol in the area of Griswold and State Street, when they observed a male retrieve a small baggie from his pocket (suspected narcotics), and throw it on the ground. Upon further investigation of the subject, the officers recovered the small baggie. Incident to the arrest, the subject was found in to be in possession of several more small baggies of suspected narcotics, and was conveyed to the First Precinct without incident.

FOURTH PRECINCT

The Fourth Precinct is closed. Precinct personnel, staff and prisoners are being housed at the Gang Squad Division, located at 6840 McGraw at Martin. Telephone calls to the Fourth Precinct are automatically being transferred to the Gang Squad Division at this time. Should you experience problems reaching personnel from the Fourth Precinct, please direct your call to the Control Desk at the Communications Operations Section, 596-2170.

SEVENTH PRECINCT

On July 18, 2004, Deputy Chief Ronald Haddad and members of his staff received information regarding two subjects that were wanted in connection with a series of "Breaking and Enterings" of businesses' in the city of Southfield, Michigan. The mother of subject #1 observed a surveillance video where she recognized her son on the tape and she also found there were three others involved in the crime. Members of the Detroit Police Department responded to the Renaissance Church, located in the 1000 Block of East Grand Blvd, and arrested the two subjects, who were waiting to turn themselves in. They were conveyed to the Seventh Precinct without incident

EIGHTH PRECINCT

While on patrol in the area of West 7 Mile Rd and Braile Street, officers of the Eighth Precinct observed a Suzuki All Terrain Vehicle riding on the sidewalk. The officers initiated a traffic stop, and subsequent to the investigation, the subject was found to be in possession of a handgun. The subject was arrested and conveyed to the Eighth Precinct for "Carrying a Concealed Weapon."

TENTH PRECINCT

On July 14, 2004, officers of the Tenth Precinct responded to a police run in the 4000 block of Lawrence to investigate a "Person with a Weapon." Upon arrival at the location, officers spoke to a complainant who stated he was shot by a known subject, and provided a description of the subject. As a result of the swift actions of the officers, the subject was apprehended in the rear of a home in the immediate vicinity. The subject was arrested and conveyed to the Tenth Precinct without incident, and the complainant was conveyed to Henry Ford Hospital for treatment. In addition, a handgun was recovered at the location.

TACTICAL SERVICES SECTION

During the week of July 14, 2004, officers Tactical Services Section (T.S.S.) responded to 267 police runs and issued 131 ordinance violations. T.S.S. officers were also deployed to the American Power Boat Association races on the Detroit River.

AVIATION UNIT

On July 15, 2004, the Aviation Unit displayed the N48CD Helicopter on Belle Isle, at the "Mayor's Senior Health Fair." On July 20, 2004, a static display was presented at the Golightly Education Center, for the "Law Enforcement Career Day."

CHIEF OF POLICE ELLA M. BULLY-CUMMINGS

6. PRESENTATION –NARCOTIC ENFORCEMENT SECTION

Cmdr. Richard Shelby gave the following Power Point Presentation:

(See Attachment)

Questions & Answers

Comm. Norris asked how many people do you have in your group?

Cmdr. Shelby stated we have 55 police officers, 17 sergeants and 1 lieutenant.
Comm. Norris asked how does that relate to what you are budgeted for?

Cmdr. Shelby stated, I'm down a little bit.

Comm. Norris asked do you get support from any of the other units or from precinct officers, or from any other groups like that or do you pretty much do all this out of your unit?

Cmdr. Shelby stated no, we get support from them also. We get support from the Tactical Services Section Unit and the Special Response Team. We get information from booster cars in the precinct.

Comm. Hampton asked do you have any stats on the number of total arrests, how many convicted?

Cmdr. Shelby stated I believe we had about 4,000 arrests; I don't really have the number of completion at this time.

Comm. Norris asked Chief Bully-Cummings, I know from an administrative message that we saw, that we're establishing an Arson Section and I'm guessing that arises out of the court decision that the Fire Department is not suppose to be doing that? Is that something different?

Chief Bully-Cummings stated Fire Arson used to be in the police department back in the mid to late 90's and had certified police officers.

Comm. Norris asked do they go through our Academy right?

Chief Cummings stated yes, they're certified police officers through MCOLES. They have been working on this for years to eliminate persons from being considered certified officers, whose authority does not arise by charter with the State Rep.

Comm. Norris asked so will the folks that were in the fire department that were certified police officers be coming back to us? Will it be new folks or our folks?

Chief Bully-Cummings stated these are certified officers that are fire arson investigators, they are already assigned to the police department.

Comm. Norris asked are they people that were already assigned to us, not the people that were assigned over to Fire?

Chief Bully-Cummings stated no, no. no.

Comm. Norris asked I'm confused? Alright, why don't you help me because it won't be the first time?

Chief Bully-Cummings stated the matter is still not resolved right now.

Comm. Norris stated okay, got it, thanks.

7. APPROVAL OF GENERAL ORDERS

- **Directive 102.3: Code of Conduct**
- **Directive 202.2: Search and Seizure**
- **Directive 203.1: Crime Scene Investigation**
- **Directive 305.4: Detainee Health Care**
- **Training Directive 04-06: PR-24 Collapsible Baton**

MOTION: **Comm. Norris** made the motion to approve the above Directives.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

8. OTHER BUSINESS

Comm. Norris stated we have one item under Other Business on my agenda and that is that we have a personnel matter that I would like to approach the Personnel Committee to address the Commissioners as a whole don't have to do that, and if there's no objections, we'll just refer it to the Personnel Committee get with Director Goss on that issue. It's something that they're aware of.

9. ANNOUNCEMENT OF NEXT MEETING

Thursday, July 29, 2004, @ 3:00 p.m.
Police Headquarters
1300 Beaubien, Rm. 328-A
Detroit, MI 48226

10. ORAL COMMUNICATION FROM THE AUDIENCE

PO Timothy Gilbert stated I have a Detroit Police Department Manual and in the section on 102.4 – Disciplinary, it says “The Board of Police Commissioners, prior to any administrative hearings, a member charged with a major offense, may be ordered suspended without pay with concurrence of three members of the Board of Commissioners. The Board of Police Commissioners has the authority to reinstate members suspended without pay to the payroll pending administrative actions.”

Comm. Norris stated I think the issue is the suspension without was properly brought to us and it was properly read to us. We did not contravene it at that time. At this point, that suspension affects a number of officers. As you know, a group of officers were brought all for the same related charges at the same time. It is my understanding, that there have been negotiations between the Department and the Union on how to resolve some issues arising out of the change in court case. I think that the Board is not going to act officer individual to individual when the Department and the Union are in negotiations. The officers involved are all represented by able counsel, by an able union that's in discussion with the Chief. Now, at the point that those negotiations either break down or there's some resolution, officers have individual abilities to appeal. There are remedies under the contract for doing that and there comes a point where this Board has a role in that. But at this point, nothing has been presented to us to suggest that the original suspensions should be changed other than the court case has changed, but the court case is not the basis of our original suspension. Chief, if you want to add anything, you certainly can, but my understanding is that there is a union representative that's in discussions on all these issues.

Chief Bully-Cummings stated well, on behalf of its members, the Union filed a grievance and so that's the road it's taken.

PO Gilbert stated I do understand that and I believe that Comm. Norris that the suspension without pay was brought because of the federal indictment of the court case.

Comm. Norris stated well certainly a federal indictment is something that may have prompted departmental action, but the suspension comes when the Chief asks us to suspend and that suspension does not rest on any federal action, but rests on determining if departmental policy has been violated and the alleged conduct rises to a certain standard and we determined at that point that it did. Now we can change that determination at some point and time. We suspend people who haven't been charged with anything. It doesn't rest on the federal charge. The grievance, as you probably know, a grievance can go to arbitration and other avenues for it to come back to us and so we don't rule on the merits of a charge like that until it comes back to us on appeal, because if we ruled on that now without hearing all the stuff that's going to show up in the grievance, we will prejudice ourselves on something that may come back to us later.

PO Gilbert stated I just want Chairperson Blackwell to know that there is a role that he can play as far as bringing us back with pay.

Comm. Norris stated I think that you are correct that at any time we can choose to undo or contravene a suspension that we previously did not contravene. We could at anytime say we now want to contravene it. But nothing has been brought to us to suggest to us at this point that that would be appropriate.

Comm. Hampton stated you have a labor agreement with the department and you have an appeal procedure in your contract, so it is going through that process. So once a disposition is reached and if you then appeal it, then it would come before us. But while it is in that process, it is between your union and department.

PO Gilbert stated I understand what you are saying as far as the grievance has been filed, but I believe that the Board of Police Commissioners and the Chief could bring us back on the payroll and suspend us pending administrative action.

Comm. Norris stated I think that you are right and that could happen.

Elsa Alvarez voiced her concerns regarding officers being transferred from the Fourth Precinct to different precincts. She asked is it possible to keep Officer Ruiz, Officer Perez, Officer Watkins and Officer Munos at the Third Precinct because they work very well with the children cadets in that area.

Chief Bully-Cummings stated I have not transferred anybody yet, so whatever the officers' are telling you is not correct. The officers have a collective bargaining agreement and the transfers are being made in accordance with their agreement. Two and half months ago, we sought to reach an alternative early on and we have sat at the table many times with union representation, so we had to resort to making the moves based upon the collective bargaining agreement and so that is how it is occurring.

Ms. Alvarez asked is it based on seniority?

Chief Bully-Cummings stated it is based upon the collective bargaining agreement with the Detroit Police Officers Association. We sat down and attempted to reach alternative types of arrangements because of things like this and we were unsuccessful, so we were left with no choice at that point in time.

Sylvia Carter-Smith stated she is here to represent her 84 year-old immobile grandmother who lives on Electric Street and Gleason, which is located in the Fourth Precinct. She voiced her concerns that the neighborhood has been having problems with drugs and gun violence on a regular basis. She asked what is she going to do since the Fourth Precinct has been disbanded and shut down?

Chief Bully-Cummings asked Mrs. Carter-Smith to speak with Cmdr. Shelby from the Narcotics Enforcement Section after the meeting. She also stated she has not shut down the Fourth Precinct, yet. The officers were relocated to another building because of unsanitary conditions beyond my control, so the building itself that used to be the Fourth Precinct is in fact closed. There still is a difference between Fourth Precinct and Third Precinct officers. Going forward in

the first part of August, and this is a discussion that has gone back to 1995 or 1996 where there was going to be a merger of the Third Precinct and the Fourth Precinct. In fact, we are building a new Southwest Precinct that is scheduled to open in the summer of next year. We have realigned precinct boundaries, while right now the number four, let's say that the number four will go up flying, there will be a precinct which covers, and I'm not sure because I don't have the map in front of me whether or not your mother's address will be within the precinct boundaries of the Third precinct, or whether its in the boundaries of the Thirteenth, First or Tenth Precincts because we realigned all those precinct boundaries so that one precinct was not overwhelmed with more than another. So they have all been divided. Regardless of where your mom lives, she will in fact have a police precinct and police services. With the narcotics issue, Commander Shelby will get with you, and he'll get the information, and I can guarantee you that they'll take care of that. I can guarantee you that.

Sylvia Carter Smith stated because I really have to trust you, I really do.

Chief Bully-Cummings stated when he gets complaints he gets his people to address it. Now what I will say is that on a number of occasions we might raid a drug house, or take people off the street, who are engaged in street transactions, and we'll do a follow up, but if it continues sometimes it just crops back up and we have to just keep coming back, but we need to know that. I try to shut it down, but sometimes it just comes right back up.

Chairperson Blackwell stated let me just say that we thank you for coming, and saying what you just said, because we get complaints, but when you hear the complaints throughout the city of activity. But to hear that in a distinctive manner about your mother, and her commitment to this community, and fifty-four years of being a resident, and paying her taxes on time and if we don't respond to folks like that, were not going to respond to anybody. At this moment on the record that with the commander said that they're going to give that proper attention and you know we meet every week, and I'm sure that they will keep their word. But certainly our doors are open for you to come back. Because this is like cancer, it goes into remission, and then it comes back. So you have to stay with it, and in fact the best way to stay with it is for people like you to come forward, and report it, and be specific as possible, and I know that can be dangerous sometimes but that's what we need.

Sylvia Carter-Smith stated yes, it is very dangerous. My mother lives alone and she is very fearful of what has taken place over the last sixty days. So it's hard for me to stand here and represent her, because I don't really live in her shoes. But I am hurting, and I feel her pain.

Chairperson Blackwell stated I think you have done a wonderful job representing her here today. And I am saying that the issue is going to be addressed at the highest level of the police department, by the Chief and the

Commander, who is over Narcotics, so I'm just saying that coming in today made a difference.

Officer Roy Harris stated he is currently assigned to the head of the Narcotics Enforcement Division the Fourth Precinct. To address the young lady that was speaking, we are aware of that location. We have been working with that area for over the last year and a half. First of all, the situation in which you are speaking of, there is a lot of street activity that is going on over there. I have gone over there numerous times, and normally it is during the evening hours so I realize that we are to have to concentrate our attention. I just wanted to let them know that this issue is being taken care of.

Mary Keependall stated I live in the same block as Sylvia Carter-Smith's mother. I have three children. I have 11 year old twin boy's that know the sounds of gun shots. They know you've got to hit the floor, or you have to run in the basement. There is a bullet hole in their bedroom window. My sons spend a lot of nights in the hallway, because there are no windows there, no openings and there is gunfire all around us. The drug activity has run rampant. We go to sleep every night with a melody of gunshots. Whether they are shooting at someone or not. There is a vacant building next door to me, I have been in Detroit since 1995, but I grew up in the house that we know live in. Since 1995, there has been nothing done to the landscape. The weeds are as tall as the building in the back. It looks like a jungle.

Chairperson Blackwell stated do you have the address, obviously you have the address. That's an issue because it harbors crime at the same time, but I'm trying to look at condemnation issue rather than looking into the building getting torn down. And I'm saying that's the building and some other processes so if you would leave the address. You and the commander or whoever you could make the report to, what we will do is see is there another way to accelerate the demolition of something like that. Because anytime there is an abandon building that has been sitting there for years and years it becomes a haven for stuff. Now you have to understand that there are all kinds of budget constraints, and all other types of issues, but let us see if we can find a way. Now I mean the only way we can try to work is to get the information that you brought forth today. And Chief and the commander is going to deal with the specific re- occurrence in the drug issues. But I'm talking about taking away a prop if you will, a building, where people are doing solicit activity. So at least by clearing the landscape, people, you know sometimes bad people hide behind buildings and bushes. If you could remove more of that then it is less pressing to the eye. So to that extent, we as Board of Police Commissioners will make our own call along with the chief and the commander on that side, not dealing with you specifically, because that's a police function. But I'm saying the specific issue of demolition. I mean I know who tears down buildings, but the question is how much does it cost, and if they cant find a way to get the money, then we have to raise the money. But I mean sometimes you just have to find a way to do things outside of the extraordinary.

Sometimes you have to find a way to give your neighbors in your neighborhood and your mother some hope, by making an effort. And if they can live there and those boys can endure that, than the least we can do is to try. But what I'm saying, when I say can't, they shouldn't endure. But they have endured. So I appreciate you coming by.

Joan Terry stated she also stays on Electric right across the street from Mrs. Carter's mother. This drug activity goes on constantly twenty four hours a day, twenty-four/seven. On my way to church, they are gambling all night in the middle of the street. They are fighting in the middle of the street, or in the front of your house. You can't even go outside of your house for the fear of someone shooting you. They make drug deals from one block to the next block. I had to get out of my car and I had to ask them, "Would you please let me pass you, so that I can go to my home." They do not let you pass by them. When I would go to work, I would have to wait for them to finish there transactions, before I could even go to work. This goes on constantly. All the swearing, I mean they don't even let you go past them. You have to wait for them to finish. And I mean all last night there was gunshots and they just didn't even stop last night. Going to church Sunday I mean they are all out in the middle of the street gambling. And I have called, and I've called and I don't know. Our hands are tied. We don't know what to do. We don't even know who to turn to. It's like a drive in. They go up Electric turn down Frances. They line their cars up so that they can do their drug deals on the corner. You have to wait for them to finish. And I have been on that street for over thirty years plus. They will not let us by. And I know they put the fear in a lot of our senior citizens that have been there for 50 to 60 years. They are afraid to ask them, can you move so that we can pass by you.

Chief Bully-Cummings stated the two inspectors, one that is in charge of conspiracy, another is enforcement. They just indicated that they have done narcotic enforcement over there, but like I said sometimes it just, a lot of times it just comes back. So we'll go back. The commanders are here and I'll ask the commander to get with everyone of you that live in that area, after the meeting. And you can write down your specific concerns. But we will go back over there.

Tawana Morris stated we have 1700 homes in our area. And my advice to the families that are having these problems, the department is going to need some information from you. I'm not saying, go out there and write the license plate number down, but give the license plate number of the persons with the clothing description is, what size they are. You can call the precinct. I don't know if they still have it, but when I was working they had the narcotic activity log. And if you call the precinct they can' trace your number from the precinct. Now, 911 they can trace you. But you can call. Give them the information and tell them you want to make a report for the narcotic activity sheet. The information that they are going to ask to get from you is what hours of the day, the type of people, type of cars, because those types of things they are going to need to try to help you. And be accurate about what they do. Because they don't want to go into the wrong

persons house, or make any errors. The more perfected you are, the better that they can do.

Mr. Alvarado stated he wanted to go back to Mrs. Morris was indicating I live in the Third Precinct, and I know about the area of the Fourth Precinct as well, the area that you were talking about. But I want to go back to what Mrs. Alvarez was talking about the police officers that are being on the border line of being transferred per say. What we need is more is the more cultural portion of it. I understand what the Chief is saying as far as union, and we have tried to re-negotiate something. But I come to appeal the fact that we don't have enough role models Latinos in that area as it is. These individuals that are in the Southwest areas are positive role models for our youth and to take them away will deter for what it is possible for our young Latinos to do, as they grow up. They need to see these males out there. We don't have many males in the southwest Detroit that have lead roles at this time. To take them away would detour from what this youth have seen them do. One of those officers that she mentioned coaches baseball with me and I have a ten year old. So I understand the legalities of unions, I've been in one, so I understand that sometimes its not fair, but I think at sometimes we can accommodate certain issues. And one of the issues that I would like to see accommodated is the cultural issue, because to put someone back into our community that is not culturally diverse, because to be bilingual, anybody can speak Spanish. But to feel the sensitivity of what we go through I believe you have to be more of that culture. And I would like you and the Chief to try it one more time. If not, maybe I can get a coalition together and go meet with everybody in our community. To make them understand also that its not about seniority, its not about who they feel is appropriate for the community, its who we feel is more appropriate for our community. And I would like to say just entertain that thought one more time. And I understand everything that you told Mrs. Alvarez. So you don't have to reiterate it to me.

Chief Bully-Cummings stated she appreciates that because she does understand what he is talking about. Those were some of the issues and concerns that I have. But let me just say last that you understand. That does not preclude going forward, that as officers, new officers graduate from the police academy that we can't assign the Hispanic officers back to that community because we do try to do that. We try to encourage officers that are Hispanic or speak Spanish, because we do realize that there is a need there. So then the officers have an opportunity going forward, that as vacancies occur to put into transfers as they go back to the southwest area. So there are options there and that was and area that I did look at. I just wanted you to know that I do recognize that. And I am very understanding when it comes to that. And so you might very well have to do what you suggested, and that is to form a coalition, and approach the union representation yourself, because I've tried.

Chairperson Blackwell stated he wanted to ask a question. I am prepared to help you approach the coalition, if you are prepared to help the coalition on the same unit when it comes to the areas of predominately black. We have the same cultural sensitivity when you have a neighborhood that may be all African American. You don't see an African American cop. So it works and cuts all ways. I understand the bilingual nature but your

point was not the nature of bilingual ness, it's the cultural ness. And I think this is where this whole police thing is getting missed. That's exactly what you should be doing, is what you're talking about. But it works the other way as well. I mean you have young African American children growing up in neighborhoods that don't get to see the other example. And so they are confused, especially when someone talks to them in a way that doesn't seem to be in generate a fellow residence, as many times or not. So I think your point of achievement is a great point, and we need to start raising the level of debate, but I'll raise it for you, but you cant, because if its going to be good for the goose than its going to be good for the gander.

Mr. Alvarado stated he has no problem with that, and he can say right here under the oath that if you are willing to support me, than I am willing to support you in all of your efforts. I have been in the city of Detroit since the year of 1969, in the third precinct per say. I came from the South Bronx. So Detroit is like another home to me. But what your saying is true, and not to say this in the wrong context, but when you have two white young males driving down a street, because I have seen it, because I work for the city. And when they pull over a young black male, they don't give them that same type of respect that if you would have pulled them over, because you understand the culture. So I understand what you are saying because I have seen it in effect. And I have stood around.

Chairperson Blackwell stated I don't know if I was necessarily making that point. Let me tell you what I mean. Because I can pull over a white male and give him respect. Before I graduated from junior high school I knew common sense. My mother told me everybody is to be treated the same. The point is there is a certain language with a certain sensitivity, which is really getting to your point, that we need to deal with, and it doesn't mean it has to be two black officers or it could be one black and one white. Where the white could learn from the black or the black could learn from the white, depending on where they are. We have Polish neighborhoods and we have Albanian neighborhoods, and all of those things. I go and stop people that mispronounce the word Arab, you know that's incorrect, it is an error. Don't disrespect them, and we expect respect. So it is not about can I be fair when it comes to other cultures, and to other races, because I can. The issue is if I got twelve years of living in this neighborhood that's an advantage that we are paying for, we should utilize. I mean that's your point. You have an officer that has this benefit, and that benefit in turn can reduce crime maybe or reduce tension, that's in the cities best interest to try and do that. What the Chief is saying is that we have this thing called union contract. For some reason everybody is scared of that word. And I mean we are going to have to stop getting scared of that word for this reason. And you know people get mad at me because I speak my mind, but I'm not a big fan of unions but for organized labor. I told Willie there is a difference. Organized labor is for buildings that have to collectively bargain or represent the workers. Sometimes we have had unions in this country that don't even hire blacks and minorities, into the union. We have a history in this country were unions have segregated against other folks. So the word union on its own doesn't turn me on. The word organized labor and collective bargaining does. So we have to look at where we are in America today and we have to get pass all of these labels, and

barriers. And start figuring out how to make Detroit safer. At the end of the day if we are hiding behind all of these labels and all of that, and Detroit gets worse and worse than we are own worst enemy. So we have to start having real debates, real dialogues that we hold to be sacred, you know it's funny how I looked at some statistics, I looked at the Bush election , the union heads of the household voted sixty percent for republican parties and they lost three million jobs. I don't understand it. But that's what the word "union" gets you, it is like something is suppose to be great of understanding of workers rights. But on the other hand they vote for the guy exporting jobs, and not only exporting jobs, but saying that it's a good idea. So you know this craziness has to stop. And we have a chief and a command staff that is saying we can do all that we can do within the rules, but outside of the rules is where the Board of Police Commissioners make a policy where people can engage and people like that to do that. They can take us to court, but let's try to change some rules. We got rules to. Let us try to rewrite some of our rules, to let the Chiefs job be easier, and to make your job easier, but the most important thing is to make their lives better. Because that's what it is all about. And if we don't do it, know it is never going to happen. So when you said that, it hit home with me because I can learn a lot from you, walking around in your neighborhood, but you can learn a lot from me in my neighborhood. And when I get done with you, and you get done with me, I won't need you in my neighborhood because I will be sensitive to what you taught me. So that's the real message there. You don't have to necessarily be a certain race to understand and be sensitive to what other people cultures and norms are. So that's what I think you have to teach.

Shirley Heard stated she wants to represent her neighbors from Electric. I have been on Electric for 37 years. There is an abandoned building right next door to me, which is the main headquarters crack house. Now they have busted that house maybe once or twice a month. And like I said we are just all in danger. Each time they get them they let them right back onto the streets. They do the same thing. So what I'm trying to say is do you think that anything can be done about this. We all live in terror. And I have teenagers, grandchildren, and they drive down the street like they are on the expressway. And they put a few years ago on the Electric like it's the country they posted the people running off of the media into your house. I mean it's sickening.

Comm. Norris stated she just wanted to say that she understands what Chairperson Blackwell is saying. You guys have got like five or six people from your neighborhood that has just gotten up and spoken and that has a huge effect on us. And when you hear the Chief saying don't worry they're will be something done, Commander Shelby is sitting over there with his boss and they keep saying something going to get done. Something will get done. And as the Chief said this is a tough problem and it's a never ending problem. And it requires constant visual ness, but that has a tremendous effect on us, and I really appreciate you all taking your time to come here today to come and talk with us about it.

Chairperson Blackwell stated that he seen the young lady that just spoke, she made the point that she just told us, she said that it has been busted twice within the last month. Now after you bust a drug house once or twice then the next issue is forfeiture.

The house should be gone. We need to hold a community wide formal at COBO because law enforcement is not just the Chief and the police, it's the prosecutor, it's the judges, it's the other folks, and if they don't do their part, what it is, it's a revolving door, you go bust a guy and he gets out on a technicality. You bust a guy, he pleads. He gets out early and if the guy goes to jail, he has his cousin run the business. My issue is, if you look at what Ashcroft did, they have something called the patriot act. You could be talking, or joking that you don't like something as why they put you in jail without a lawyer. So maybe we need some, and don't get me wrong I'm not supporting Ashcroft, but were going to have to try, when the Chief is telling me that we keep busting these houses and they keep coming, there is something missing in that, that we as a community have to then join with the chief and say lets talk with the prosecutor. Let's talk with the judges. You know you vote for them to. So my issue isn't just the Mayor, and the City Council, it is what are the other folks doing? We have an elected chair, we have an elected prosecutor, we have elected court, and we have an elected attorney general. So all these people that get by, we have to stop letting that happen. And what I am prepared to do is maybe conduct.... We don't have a report card for the judges and we don't have a report card for the prosecutors. They need a report card to. So if we are going to be fair and really make this thing work, everybody has to be held to a certain standard. But to know what that standard is, I think it is contended upon us to kind of help put something together and say here's the box and here is what everyone is suppose to do. Because you know no matter how good the Ferrari is, but a fine tuned engine, if there is no gas it won't start. So the gas has a role in the running of that car. But if the battery is missing, then it won't run. So see all these pieces work together, but all we say is blame the cops for not working. And not understanding that there are other component parts. When the Chief said that and this young lady got up and said that they busted it twice in one month, I mean that means that the police is being vigilant, and there's some other stuff we got to do because its just to easy to get back into business. It's to easy. So that's something Chief, and I hear you, and I know you've been saying it, you know the Chief is very quiet and dignified. But I think for some of us who are more vocal have to help the Chief do her job because she can't do it by herself and the police officers can't do it by themselves. It's the eyes and the ears of the community that have to make a difference, and that's what we have to do. So Megan your right. Having you all say this and to hear the testimony and then hear that police down there we have to do something because this puzzle is just not working, we have to make it work. And for us to make it work I don't care if we call the governor the legislature they have a role. All of that stuff has got to be apart of it, and if they don't perform most of it, and we don't let them know what they should be doing, then every two years it's time for you all to act on them. Everybody in life needs a report card. And so we are going to stop just blaming the police department, even though they need one. And we need one. So we have to make sure that everyone else has one to. But before we do that the community needs to be informed of what that is. I think Ron Scott and other folks we have been talking about the real role of the law enforcement community, and not just the police department. It's the courts system, it's the prosecutor, it's the people, it's the corporate community, its insurance companies. I mean going after the absentee landlords, going after the slum landlords, all of this stuff is legislation and

that's at least what we could get to dialogue and debate on a little more, I think in terms of some of our policies.

Ms. Walters stated we have budgetary constraints that disallow us much that we would like to do. There is no other country that I know of that I have been to that has the diversity that this area has in it and they are continuing to grow despite the problems, because they are willing to communicate. We cannot say that you might speak German, you might speak French, you might speak, but we are all Americans, and we haven't got that clear yet. If all the municipalities work together there would be a different appreciation of the American culture. This is our America and until we understand that, the culture that we are protecting, no matter how diverse it is, we are going to lose it.

11. ADJOURNMENT

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/kdw